

LKG/AS  
F.#2015R01691

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

18-CR-123 (S-1)(CBA)

SCOTT BRETTSCHEIDER,

Defendant.

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THE GOVERNMENT'S VOIR DIRE REQUESTS,  
LIST OF NAMES AND PLACES, AND  
SUMMARY OF THE CASE

RICHARD P. DONOGHUE  
UNITED STATES ATTORNEY  
Eastern District of New York  
271 Cadman Plaza East  
Brooklyn, New York 11201

Lindsay K. Gerdes  
Andrey Spektor  
Assistant U.S. Attorneys  
(Of Counsel)

THE GOVERNMENT'S VOIR DIRE REQUESTS

The government respectfully requests that in addition to the Court's usual voir dire questions, the Court ask the following questions in jury selection for this case. The government respectfully submits that the questions listed below would aid in the selection of a fair, impartial and unbiased jury. In addition, the government submits a brief summary of the case, as well as a list of persons and places that the government expects to be mentioned at trial.

A. Personal Experience with the Criminal Justice System

1. You will hear testimony in this case from various law enforcement officers, including members of the New York City Police Department ("NYPD"). Do you feel predisposed for any reason to either believe or disbelieve a law enforcement officer's testimony? Do you believe that any group in society does not receive fair treatment from police, prosecutors or law enforcement agencies? If so, can you put aside any such opinions or beliefs and evaluate this case based upon the evidence presented at trial, in accordance with the Court's instructions?

2. Have you, or has any member of your family, either as an individual or in the course of business, ever been a party to any legal action, criminal case, or dispute with the United States, with any agencies or employees of the United States, or the NYPD, or otherwise had any interest in any such legal action, case or dispute or its outcome?

3. Do you believe that fingerprint, DNA or other types of forensic evidence are required to prove a defendant's guilt beyond a reasonable doubt? Would you have any difficulty in finding the defendant guilty if the government proved its case beyond a

reasonable doubt based on the testimony of other evidence, like witness testimony or phone calls, without any forensic evidence?

B. Case-Specific Questions

4. You will learn during the course of this trial that law enforcement obtained a court-authorized wiretap to secretly listen to a person's telephone conversations. This investigatory technique to gather evidence is lawful and proper. Would the use of lawfully intercepted communications over a telephone affect your ability to consider such evidence fairly?

5. Do you believe that drug-related crimes should not be punished with jail?

C. Other Questions

1. Have you served on a jury before? Grand jury or trial jury? Criminal or civil? Was that jury able to reach a verdict?

2. Where do you get your news?

STATEMENT OF THE CASE

The indictment in this case charges the defendant, Scott Brettschneider, with conspiring to make false statements and causing false statements to be made to the Bureau of Prisons, also known as the “BOP.” These charges stem from a letter sent to the BOP on behalf of a federal inmate that is alleged to have contained false and fraudulent information. The defendant has pleaded not guilty to the charges. The evidence in this case will consist primarily of recordings of telephone calls captured over a court-ordered wiretap. The parties anticipate that the case will be concluded this week.

LISTS OF NAMES AND PLACES

Defendant and Defense Counsel

1. Scott Brettschneider (Defendant)
2. Sarita Kedia, Esq.
3. Jonathan Savella, Esq.

Seated at the Government's Table

1. Lindsay Gerdes (Assistant U.S. Attorney)
2. Andrey Spektor (Assistant U.S. Attorney)
3. Alex Minsk (Paralegal Specialist, U.S. Attorney's Office)

Possible Government Witnesses and Other Names

4. Dr. Kit Hoffman, Bureau of Prisons
5. Postal Inspector Kimberly Dallas, United States Postal Service
6. Senior Probation Officer Angela Bennett-Rodriguez, United States District Court for the Northern District of New York
7. Special Agent Timothy O'Malley, Federal Bureau of Investigation
8. Special Agent Conor O'Sullivan, Federal Bureau of Investigation
9. Detective Richard Santangelo, Queens County District Attorney's Office
10. Detective Eugene Lang, New York City Police Department
11. Special Investigator Officer Anthony Pedone, Metropolitan Correctional Facility
12. Special Investigator Officer American Pina, Metropolitan Correctional Facility
13. Charles Gallman
14. Richard Marshall

15. Reginald Shabazz-Muhammad

16. John Scarpa

17. Dr. Diana Banks

Entities or Places that May be Mentioned

1. United States Penitentiary Lewisburg in Lewisburg, Pennsylvania

2. Muhammad Mosque No. 7, 106-8 127th Street, New York, New York

3. United States Post Office, 165-100, Baisley Boulevard, Jamaica, New York

Dated: Brooklyn, New York  
March 11, 2019

Respectfully submitted,

RICHARD P. DONOGHUE  
United States Attorney

By: /s/  
Lindsay K. Gerdes  
Andrey Spektor  
Assistant U.S. Attorneys  
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cc: Clerk of the Court (CBA) (By ECF)  
Sarita Kedia, Esq. (By ECF)  
Jonathan Savella, Esq. (By ECF)